FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 10509 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr.M.V. Sali and Mr. Arun Palekar for Petitioner.

CORAM : F.I. REBELLO,J.
DATED : JANUARY 17, 2005

P.C.

. Heard larned counsel for the Petitioner. The contention of the Petitioner is that the civil court has no jurisdiction as the petitioner herein claims to be tenant of the suit property which is an agricultural land. If that be the case, if such issue is raised, the appropriate remedy is to refer the same issue to the authorities under B.T. & A.L.act and not for dismissal of the suit. Considering that the impugned order need not be interfered with.

. However, liberty to the Petitioner to apply to the court for referring the issue

under B.T. & A.L.Act and the learned Judge after hearing the parties to pass appropriate order according to Law.With above observations, petition disposed off.

(F.I. REBELLO,J.)